

FILED  
UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

2004 JUN 17 P 4:19

PAUL J. McNALLY, as he is TRUSTEE,  
MASSACHUSETTS LABORERS' HEALTH AND  
WELFARE FUND and NEW ENGLAND LABORERS'  
TRAINING TRUST FUND; JAMES MERLONI, JR.,  
as he is TRUSTEE, MASSACHUSETTS LABORERS'  
PENSION FUND and MASSACHUSETTS LEGAL  
SERVICES FUND; MARTIN F. WALSH, as he is  
TRUSTEE, MASSACHUSETTS LABORERS'  
ANNUITY FUND,

Plaintiffs

vs.

LITTLETON ENVIRONMENTAL SERVICES, INC.,  
Defendant

and

J.T. CALLAHAN & SONS, INC.,  
Reach-and-Apply Defendant

and

FLEET BANK,  
Trustee

U.S. DISTRICT COURT  
DISTRICT OF MASS.

C.A. No. 03-12461 NG

**PLAINTIFFS' MOTION FOR ENTRY OF DEFAULT JUDGMENT  
AGAINST LITTLETON ENVIRONMENTAL SERVICES, INC.**

Now come the Plaintiffs (hereinafter, the "Funds"), and request the Clerk, pursuant to Rule 55(b)(1), Fed.R.Civ.P., to enter default judgment in favor of the Funds and against Defendant Littleton Environmental Services (hereinafter "Littleton"), holding Littleton liable for all unpaid contributions owed to the Funds, together with interest, statutory liquidated damages, reasonable attorneys' fees, and costs as follows:

A. Principal owed to the Funds through December, 2003 \$184,377.70



B.	Prejudgment interest as of June 8, 2004 on late-paid contributions and underpayments as mandated by Article XX of Collective Bargaining Agreement	\$4,829.28
C.	Liquidated damages as mandated by 29 U.S.C. §1132(g)(2)(C)	\$36,875.54
D.	Attorneys' Fees as mandated by §1132(g)(2)(D)	\$7,647.50
E.	Costs	\$724.92
	<b>TOTAL</b>	<b>\$234,454.94</b>

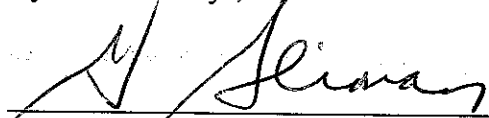
As grounds therefore, Plaintiffs state that default has been entered against Defendant for failure to answer or otherwise defend as to the Complaint of the Plaintiffs. Plaintiffs' claim is for a sum certain. Finally, Defendant is neither an infant nor an incompetent person.

WHEREFORE, Plaintiffs respectfully request that default judgment be entered against Littleton Environmental Services, Inc.

Respectfully submitted,

PAUL J. MCNALLY, as he is  
TRUSTEE, MASSACHUSETTS  
LABORERS' HEALTH AND WELFARE  
FUND, et al,

By their attorneys,



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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by mail-hand on 6/17/04.

*Gregory A. Geiman (2)*

Dated: June 17, 2004